the health-

trick.

petite, the digestion or

A GOLD LION Cocktail

before dinner does the

GOLD LION Cocktails

(ready to ice) never vary.

GOLD LION Cocktails—Seven kinds — Manhattan, Vermouth, Whiskey, Martini, Tom Gin, Dry Gin—and the American

Of good wine merchants.

The Cook & Bernheimer Co.

HANGS ON A CHILD'S WORD.

Murder Is a Five Year Old's Prattle.

charges against her and baffles the police

in their offorts to trap her into making ad-

missions. She has not been allowed to see

a lawyer, and her husband seems afraid to

"I don't intend to go behind the bars if I

The most definite development in the

detectives' search for evidence to-day

was the statement secured from the little

adopted son of Mrs. Powell. Sammy always

refers to his adopted mother as auntie, and

"I saw auntie hit Essie on the back of the

when questioned by the detectives said:

head with a stick and Essie runned away. She runned through the door and auntie runned after her. Then Essie got upstairs and auntie runned up there too. After a while I heard Essie hollering, and when

auntie came down she said Essie was a bad girl, and had sassed her."

Owing to the youth of the child he will

not be allowed to testify. His story is regarded as valuable for a foundation upon which to build up a theory, and the State detectives declare that they already have

numerous facts to substantiate parts of

the child's story

The police hired a woman to clean Mrs.
Powell's finger nails and preserve the dirt
from them. The detectives hope to find

United Underwriters Restrained From

Doing Insurance Business in This State.

ALBANY, Feb. 15 .- Supreme Court Justice

D.Cady Herrick, upon application of Deputy

Attorney-General William H. Wood, has

granted judgment against the United Under-

writers of the City of New York, restraining

them from transacting the buiness of in-surance in this State. This was a so-called

Lloyds association, transacting business at

1267 Broadway, New York, under James A.

Shipbuilding Company May Be Investigated

legislative investigation of the affairs of

the United States Shipbuilding Company

had not been abandoned. They said

Ohio National Bank Closed

WASHINGTON, Feb. 15 .- The Comptroller

of the Currency has been advised by the

the hank has been

of its inability to meet coming demands. The Comptroller has appointed National Bank Examiner Robert Lyons receiver.

MARINE INTELLIGENCE.

MINIATURE ALMANAC-THIS DAY.

Arrived-MONDAY, Feb. 15.

Sun rises.....6:53 Sun sets......5:34 Moon sets
HIGH WATER—THIS DAY.

Sandy Hook. 7:32 Gov. I'd. .... 8:04 Hell Gate..

Sa Phoebus, Shleids, Jan. 31.
Sa Indrani, Yokohama, Nov. 15.
Sa Calderon, Santos, Jan. 22.
Sa Prins Maurits, Paramaribo, Jan. 22.
Sa Orin, Cardenas, Feb. 5.
Sa Uller, Demerara, Feb. 3.
Sa Tjomo, Campeche, Feb. 7.
Ss Carityba, Nuevitas, Feb. 10.
Sa Proteus, New Orleans, Feb. 10.
Sa Princess Anne, Norfolk, Feb. 14.
Sa City of Augusta, Savannah, Feb. 12.
Sa Benefactor, Phila delphia, Feb. 14.
Ss Chesapeake, Balti more, Feb. 13.

ARRIVED OUT.

S Frankfurt, from New York at Bremen.

SAILED FROM FOREIGN PORTS.
Ss Moltke, from Cherbourg for New York.
Ss Carpathta, from Gibraitar for New York.
Ss Byron, from Barbados for New York.

Celtic, Liverpool. 2 30 A M
Oscar II., Copenhagen. 11 00 A M
Parima, St. Thomas. 12 30 P M
Colorado, Galveston.
Proteus, New Orleans.
Jamestown, Norfolk.
Eastern Prince, Pernambuco. 100 P M
Soil Thursday, Feb. 1

Sail Thursday, Feb. 1
La Bretagne, Havre..... 700 A M

Monroe. Norfolk.... El Cld. Galveston... Arapahoe, Charleston

Corean, Glasgow ... Havana, Havana ... Trinidad, Bermuda ... Manzanillo, Tampico.

Gerty... Athalle

Cevic..... El Dorado.

Prinz Oskar

Cedric

Campania

Chemnitz.
Powhatan
City of Memphis.
El Rio
El Sud

Oro, Argentina...
El Mar, Galveston...
Princess, Anne, Norfolk....
Clty of Augusta, Savannah.

OUTGOING STEAMSHIPS.

Sall To-morrow

INCOMING STEAMSHIPS.

Due To-day.

Due To-morrow.

Due Thursday, Feb. 18.

Gibraltar

.Liverpool .

Bremen . Gibraltar.

New Orleans

Liverpool. Southampton Havre. Christiansand.

12 00 M 2 30 P M

To-day.
Gibraitar Jan.
Cadiz Jan.
West Hartlepool Jan.
Hull Jan.
Swansea Jan.
Liverpool Feb.
London Feb.
Liverpool Feb.
Galveston Feb.
Galveston Feb.
Galveston Feb.
Ganoa Feb.
Antwerp Feb.
Rotterdam Feb.
Naples Feb.
Colon Feb.
Port Limon Feb.
Port Limon Feb.

3 00 P M

Ss Kaiser Wilhelm der Grosse, from New York

Ss La Bretagne, Havre, Feb. 6. Ss Bordeaux, Havre, Jan. 31. Ss Corean, Glasgow, Jan. 30. Ss Phoebus, Shields, Jan. 31.

cashier of the Galion National Bank, Galion,

order of the board of directors becau

races of blood in the dirt.

Kohlbeck as attorney.

go near her. He says:

doing as the detectives tell me."

## SHAFROTH OUT OF CONGRESS.

SAYS HE'S CONVINCED HE WAS ELECTED BY FRAUD,

And He Will Not Profit by It-Women Voters in Denver Were the Perpetrators of the Frauds-They Repeated and Stuffed Ballot Boxes-Opponent to Be Seated.

WASHINGTON, Feb. 15 .- A dramatic incident followed the approval of the journal in the House to-day. Mr. Shafroth (Dem., (col.) obtained recognition to make a personal statement and surprised the House by announcing that he stood ready to relinquish title to his seat in the House in favor of R. W. Bonynge, who is contesting Shafroth's election.

Mr. Shafroth began by reviewing briefly the facts in the contest, which was brought on the ground of fraud. Mr. Shafroth said he had courted the fullest investigation and had become convinced that fraudulent votes were cast and that he had been the beneficiary thereby, although he had had no part whatever in promoting such frauds and had no knowledge of any improper method having been employed in the election.

The number of fraudulent votes, he said, if deducted from his majority, would elect Mr. Benynge, his opponent, and he believed him entitled to the seat. If he were a judge in this case, he said, he would be forced to decide against himself.

As Mr. Shafroth proceeded it became apparent that he was about to relinquish his right to his seat, and he received close attention on both sides as he read his re-marks. The result of his investigation, Mr. Shafroth said, had been a sore disappointment to him, but nevertheless, in view of the fact that frauds had been committed and he had profited by them, he could not conscientiously retain his seat in the House. He paid a high compliment to the members of the E'ections Committee for their fairness in handling the case, and concluded by saving that he was ready to retire and permit Mr. Bonvnge to be sworn in. The announcement came as a great sur

prise to the House, as Mr. Shafroth had not made known his intention of abdicating to any one except Mr. Olmsted (Rep., Pa.), the chairman of the committee having the contest in charge, and that not until just before the House met this morning. When Mr. Shafroth sat down there was

in outburst of applause which continued or several minutes on both sides of the chamber, and Republicans and Democrats crowded about and congratulated him. Mr. Olmsted (Rep., Pa.), paid a high trib-

nte to Mr. Shafroth's manliness and in-tegrity and said his course throughout the investigation had been honorable and

Mr. Hogg (Rep., Col.) said that Mr. Shaf-reth's action was not a surprise to those who knew him, as it was in keeping with the high character he had always borne in

olorado. Mr. Olmsted then offered a resolution, accordance with Mr. Sharroth's sugin accordance with Mr. Snarroth's sug-jestion, declaring that Mr. Bonynge was elected and entitled to a seat in the House. The resolution praised Mr. Shafroth for his action. Mr. Bonynge was not present and was not sworn in.

The House then took up the Diplomatic and Consular Service bill and voted not to in the Senate amendments. e House then adjourned at 12:40 o'clock

Mr. Shafroth has had a long career in the House. He served in the Fifty-fourth Congress as a Republican, in the Fifty-fifth, rity-sixth and Fifty-seventh as a Silver Republican, and ran as a Democrat for the Fifty-eighth. He was appointed a member of the committees on Coinage, Weights and Measures and Public Lands in the

present Congress. Mr. Shafroth's home is in Denver. He is 49 years old, a native of Fayette, Mo., and a graduate of the University of Michigan. He removed to Denver in 1879, after practising law for a short time in his native town. It is said that Mr. Shafroth's action has only one precedent in the House. The Hen only one precedent in the House. The Hon. James Wilson, now Secretary of Agriculture, n 1885, just before the close of the session in 1885, just before the close of the session, in order to get consideration for the bill to make Gen. Grant, who was then dying at Mount McGregor, a General on the retired list, voluntarily relinquished title to tired list, voluntarily relinquished title to his seat, which was contested, and was a privileged matter ahead of the Grant retirement bill. Mr. Wilson, however, did not concede fraud. Ten or twelve years ago I awrence McGann (Dem., 'Ill.); whose seat was contested by Hugh Belknap, ceased to fight to retain his seat when he became convinced that he had not been fairly elected, but he did not rise in his place and repudiate title to it.

repudiate title to it.

The Shafroth case is especially interesting in view of its bearing upon woman suffrage. The women of Colorado enjoy the right to vote, and the record in the Bonynge-Shafroth contest shows that they were the perpetrators of the frauds, that they were repeaters and vote buyers, and that they padded the polling lists and stuffed the ballot boxes. These frauds were not committed in the interest of Mr. Shafroth directly, but for the purpose of electing the Democratic ticket, and he with others profited by the illegal methods

It appears from the record that Shafroth, who formerly came to Congress by ma-jorities as high as 58,000, in 1902 lost in almost every precinct and district except two in the city of Denver, districts F and G. In these his gain was enormous, 90 per cent. of the vote in these districts being cast for him, and in some instances his majority was greater than the registered

majority was greater than the registered vote of the district.

Exhibit No. 64 offered by the contestant is a fair sample of the manner in which the women padded the poll lists, repeated, bought votes, stuffed the ballot boxes and committed other frauds. That exhibit is an affidavit by Mrs. Beatrice Muhleman, formerly a clerk in the Legislature. She says that she, in company Muhleman, formerly a clerk in the Legislature. She says that she, in company with Miss Alma Beswick and a man named Granger, procured 125 of the official ballots for Precinct 1 of District F. They took these ballots to the St. Nicholas Hotel, where they engaged a room, which was paid for by Miss Beswick. They pulled down the shades, closed the blinds, locked the door, and then proceeded to "prepare" the ballots. Miss Beswick took two of the 125 and wrote the word "Republican" in 25 and wrote the word "Republican" in he vacant space at the head of the ballot, indicating a straight ticket. She also wrote one ballot for each of the minor parties having candidates. All of the others were filled in with "Demn," "Demo." or "Democracy," indicating that the ticket was

Mrs. Muhleman said that they used different styles of handwiting and she even went so far as to write two ballots with her left hand in order to disguise the writing. The ballots were then numbered and compared with the poll lists and made ready to dump into the ballot box. Mrs. Muhleman then went on to tell of the meth-ods employed to get woman repeaters and ds employed to get woman repeaters and tentioned the names of Hilda Carson, Mrs.

Pritchard and others.

She then told of Miss Beswick's plan to create a disturbance at the polls on the morning of election so that the Republican would be driven away and an opportunity afforded to stuff the ballot box with the fraudulent votes which they had prepared. The record is filled with instances of this sort of frauds committed by the woman suffragists of Colorado. most flagrant frauds were committed

in the "Tenderloin" district.

These disclosures verify the accuracy of the contention made by Senator Wolcott and other Colorado Republicans, after the election in 1902, that the Democratic members of the lower house of the Colorado Legislavas from Arroches legislature from Arapahoe county (Denver), which forms part of Shafroth's district, were not honestly elected. These representatives voted for Mr. Teller's reclection to the Senate, he receiving a majority of one. Several Republicans, through the influence of National Committeeman, Stewart, voted for Teller in order to prevent the return of Mr. Wolcott to the Senate. LILIUOKALANI GETS NOTHING. Bill. Appropriating \$200,000 for He

Fails to Pass the Senate. WASHINGTON, Feb. 15.—The Senate to-day resumed consideration of the bill to pay \$200,000 to Liliuokalani, former Queen of Hawaii. By a vote the bill was lost. On Friday last a vote to recommit the bill disclosed the absence of a quorum, which forced adjournment. Another roll call was ordered to-day, which resulted: Ayes, 23; noes, 27. So the bill was not recommitted. An amendment offered by Mr. Mallory (Dem., Fla.) making the appropriation \$15,000 instead of \$200,000 was agreed to. The ayes and noes were demanded on the final passage of the bill. The vote stood: Ayes, 26; noes, 26, so the bill failed to pass. These bills were passed:

Reimbursing army officers and enlisted

Reimbursing army officers and enlisted men for losses at Galveston during the cyclone of 1909 and the hurricane in Porto Rico.
Ratifying an agreement with the lower Brule band of Sioux and appropriating \$70,700 to carry it into effect.
Authorizing the sale of isolated and disconnected tracts of public lands less than a quarter section in extent.
Providing for a new quarantine station at San Diego, Cai., and appropriating \$200,000 therefor.

therefor.

Requiring cattle owners to remove their herds promptly after watering once daily

herds promptly after watering once daily at reservoir sites on public lands.

Appropriating \$8,000 to pay Jean Louis Legare of the Dominion of Canada, for procuring the surrender of Sitting Bull and his band to the United States authorities in 1881.

band to the United States authorities in 1881.

Mr. Carmack (Dem., Tenn.) proposed an amendment to the bill applying the coastwise navigation laws of the United States to the Philippine Islands, postponing from July 1 next to July 1, 1909, the time for their taking effect and repealing the provision for refunding the export tax on merchandise coming to the United States, so that the "open door" may be maintained in the archipelago.

archipelago.

A bill introduced by Mr. Hoar provides for competitive examinations by official boards of candidates for appointment to the Naval Academy, thereby abolishing the entrance examination now required.

At 3:10 the Senate went into executive session and at 3:20 adjourned until tomorrow.

Movements of Naval Vessels.

WASHINGTON, Feb. 15.-The battleships Kearsarge (flagship of Rear Admiral Alabama, Illinois and Massachusetts have sailed from Culebra for Guantanamo; the gunboats Scorpion and Gloucester from San Juan for Guantanamo, the supply ship Glacier from New York for Guantanamo, the tug Hercules from Norfolk for League Island, the training ship Adams from San Diego for a cruise and the cruiser San Francisco from Suez for Rombay. for Bombay.

The auxiliary Prairie has arrived at The auxiliary Prairie has arrived at Colon, the training ships Hartford and Topeka at Kingston, the gunboat El Cano at Shiakwan, the Detroit and the Newark at Santiago, the battleship Maine at Guantanamo, the tugs Potomac and Osceola and the supply ship Culgoa at San Juan, the gunboat Don Juan de Austria at Malta and the Brooklyn at Genoa.

The cruiser San Francisco, which sailed

and the Brooklyn at Genoa.

The cruiser San Francisco, which sailed from Port Said yesterday for Bombay, is under orders to join the Asiatic fleet. Her going to the Far East has no connection with the Russo-Japanese situation. She was selected some time ago to succeed the Albarance fleeship of the property of the state of the st the Albany as flagship of the cruiser squad-ron. The Albany is coming home for

Promotions in the Army. WASHINGTON, Feb. 15.-The President

ent the following nominations to the Senate to-day: To be Captain-First Lieut. Henry S. Hath-

away, Signal Corps.
Captains to be Majors—Charles W. Penrose,
Twenty-eighth Infantry; Daniel L. Howell,
Seventh Infantry, and John Stafford, Eighth

Infantry.

First Lieutenants to be Captains—Joseph L.

tilbreth, Fourteenth Infantry: Charles F.

Humphrey, Jr., Third Infantry; Willey Howell,

Fourth Infantry, and Benjamin J. Tillman,

Seventh Infantry. Seventh Infantry.
Second Lieutenants to be First Lieutenants—Arthur H. Freshwater, Twenty-eighth Infantry; Joseph C. Wilson, Sixth Infantry; Morris M. Keck, Twelfth Infantry; Auswell E. Deitsch, Fifth Infantry; William Korst, Seventh Infantry; Joseph C. Kay, Eleventh Infantry, and Charles Abel, Eighteenth Infantry, and Charles Abel, Eighteenth Infantry, Postmasters—Seth Allen, Dannemora, N. Y.; Alfred E. Goddard, Essex, Conn.

Example of the Unlucky Thirteen. partment has received the following report from an officer on the United States receiving ship at Norfolk:

receiving ship at Norfolk:

The following interesting example of the unlucky 13 is respectfully submitted. The items are compiled from the records of the office and Stark's comments:

C. Stark, C. P., U. S. N., enlisted May 13, he arrived on the U. S. R. S. Franklin as one of a draft of 13: he was court-martialled on the 13th of the month and spent 13 days in cell 13 of the brig. He was dishonorably discharged with a balance overpaid of \$13.13, and begun his new life as a civilian Feb. 13.

Another peculiar incident attached to this report was the fact that it was also mailed on the 13th of the month. this report was the fact that it mailed on the 13th of the month.

Cotton Manufacturers at the White House WASHINGTON, Feb. 15 .- A large delegation representing the American Cotton Manufacturers' Association called on the President to-day to pay their respects They invited the President, Secretary Hay and Secretary Cortelyou to attend the annual meeting of the association in this city on May 11 next. The delegates also thanked the President and Secretary Hay for the open door policy of the Administration in the Orient, and particularly for the attitude of the State Department in regard to the localization of military perations between Russia and Japan to the end that Chinese territory may be operations

The Agricultural Appropriation Bill. WASHINGTON, Feb. 15 .- An item of \$49, 200 for the establishment of laboratories New York, Boston, Philadelphia and New Orleans to facilitate the inspection of imported foods, beverages, &c., was voted of imported foods, beverages, &c., was voted into the Agricultural Appropriation bill to-day by the Senate Committee on Agriculture. The total of the bill as reported is \$6,072,380, being an increase of \$361,140 over the House bill. The other principal additions are \$50,000 for the Bureau of Animal Industry, \$50,000 for good roads inquiry; \$50,000 for experiments in breeding farm animals and \$50,000 for the Bureau of Forestry.

Buffalo Bill Calls on the President WASHINGTON, Feb. 15.-Col. W. F. Cody, Buffalo Bill," was among President Roosevelt's callers this morning. He was accompanied by former Senator Manderson of Nebraska, and he spent some time with the President swapping stories of their life in the West several years ago. Col. Cody has recently transferred to the Government a large tract of land which enables the Interior Department to proeeed with the Shoshone irrigation project.

Bill to Increase the Signal Corps. WASHINGTON, Feb. 15 .- The General Staff has prepared a bill providing for the in-crease of the Signal Corps of the army crease of the Signal Corps of the army in accordance with the recommendation of Gen. Greely, Chief Signal Officer, that the enlisted strength be increased from 750 men to 1,200 men. The necessity for the increase as explained at the War Department is that so many Signal Corps men are required in the Philippines to keep open the lines of communication throughout the archipelago.

Army and Navy Orders.

WASHINGTON, Feb. 15 .- These Navy orders were ssued to-day:
Capt. J. H. Dayton, from duty with the General
Board, Washington, to Board of Inspection and Commander J. R. Edwards, from Bureau of Steam Engineering, Washington, to navy yard, Pensacola.

Commander F. H Holmes, from Mare Island
Navy Yard to command the Mohlcan.

Commander J. R. Miton, to Asiatic station.

Capt. J. E. Turrill, from Cavite station to the Solace.
Lieutenant-Commander F. W. Comn, from Pollok staffon to Cavite.
Capt. H. C. Snyder, from the Solace to Cavite station.

Lieut, D. W. Garrison, from the Annapolis to Yokohama Hospital. okohama Hospital. Lieut. B. C. Decker, from command of the Quires the Isla de Cuba.

ODELL'S HOME RULE POWWOW

PROVIDES A COMMITTEE TO IN-VESTIGATE THE SUBJECT. New Yorkers Disappointed Over the Out

come. The Committee is Expected to Report That the Cities of the State Have Enough Home Rule Now.

ALBANY, Feb. 15 .- Gov. Odell's home rule conference this afternoon did nothing more than adopt a resolution providing for the appointment of a committee to investigate the subject of home rule and to report at a subsequent meeting. Evidently the Governor learned something at the conference, which occupied several hours for this afternoon he said:

"The people seem to have lost sight of the fact that cities are now given considerable home rule."

The Governor's attitude was that of a The Governor's attitude was that of a man who had become convinced that there was no need of further legislation in this respect, evidently having been convinced that the cities under existing charters have sufficient powers to govern themselves. The following resolution, which was adopted at the conference, only authorizes the committee to investigate how far the cities are deprived of home rule:

Resolved. That a committee he appointed

are deprived of home rule:

Resolved, That a committee be appointed by the chairman of this conference to investigate the question of how far under the charters or other laws governing the affairs of the municipalities of this State such municipalities are deprived of home rule, and that such committee report its conclusions, with recommendations, if any, to an adjourned meeting of this conference.

Gov. Odell's only comment on the resolu-

Gov. Odell's only comment on the fesolution was: "It was generally satisfactory to me, and I suppose it was to others."

One thing, though, that could not escape attention was the fact that all the legislators, with the exception of the New York city members, came out of the room where they had been closeted with Gov. Odell and Chairman George W. Dunn with their faces wreathed in smiles. The New York members had expressions of disgust and sorrow on their countenances.

The Governor said nothing other than that the home rule proposition was dis-

that the home rule proposition was dis-cussed pro and con, the views of all the condesea proancion, the views of an electric ferees on the question having been obtained. The committee is to get to work at once, but whether it is to visit each municipality in the State or to meet representation. sentatives from them was not stated.

Col. Dunn acted as chairman of the con

ference and is to appoint the investigating committee, which is to consist of members of the Legislature. Even if nothing else is accomplished Gov. Odell has succeeded in is accomplished Gov. Odell has succeeded in putting up to Col. Dunn and the Legislature the question of a final decision upon this momentous problem of home rule which has so agitated the Republican State leaders since Goy. Odell issued his pronunciamento

two weeks ago.

Those who attended the conference besides the Governor and Col. Dunn were Lieut.-Gov. Frank W. Higgins, Speaker S. Fred Nixon, John Raines of Canandaigua, the Republican leader in the Senate; James T. Rogers, the Republican leader in the Assembly; Senators George R. Malby, N. A. Elsberg, Horace White, Henry Marshall, Jotham B. Allds and George A. Davis Assemblymen Jean Burnett, E. A. Merritt, C. F. Bostwick, J. T. Newcomb, E. R. Finch. G. B. Agnew, J. D. Remsen, John E. Smith and J. M. Wainwright; ex-Gov. F. S. Black Col. Reuben L. Fox and State Committee-men Timothy L. Woodruff, William C. Warren of Buffalo, Jacob Brenner and M. Warren of Buffalo, Jacob Brenner and M. J. Dady of Brooklyn; Charles H. Murray and William H. Halpin of the New York county Republican committee; William Barnes, Jr., William L. Ward of Westchester; Louis F. Payn of Chatham, Isaac V. Baker of Comstock's; William W. Worden of Saratoga, Frank S. Witherbee of Port Henry, Thomas Wheeler of Utica, John T. Mott of Oswego, Francis Hendricks of Syracuse, George W. Aldridge of Rochester, J. Sloat Fassett of Elmira and John Grimm of Buffalo.

While opinions differ as to the result of the conference, the manbers of the

While opinions differ as to the result of the conference, the mambers of the Legislature present who hailed from up-State districts and who are friendly to Senator Platt and look upon him as the leader of the Republican party in this State were to-night saying that they had constructively sat upon the Governor and had pulled from under him one of the pedestals upon which he had mounted in his message to the Legislature. The conference was one in which the Governor did not take much of a talking part, his being a thinking one, and one of the conferees

"It was fun to just take a peek out of the corners of your eyes and watch him as the arguments were brought out showing that the speakers knew just what they were seeking for. I guess the Governor became better acquainted with charters of cities than he had any idea he would be."

The Governor started the home rule The Governor started the home rule ball rolling down the room by saying that he thought something should be done toward giving the cities more control over themselves than they now possessed.

Chairman Halpin and Assemblymen Bost-wick and Newcomb then said something wick and Newcomb then said something about the Legislature continually meddling with the affairs of New York city and declared that there should be some relief from it. They were asked to particularize, but refused to do so.

It can be safely asserted that the committee appointed will report that the cities are now vested with proper home rule powers. The up-State conference seemed to delight in taking the wind out of the to delight in taking the wind out of the New York members' sails, for they per-sisted in showing to them that the Legislature had not within some years passed any mandatory legislation for New York city, except the original New York city

Charter and the Atlantic avenue improve It was pointed out also that New York city is constantly begging the Legislature to save it from its own officers. As an ex-ample it was pointed out that lest year the city authorities came to the Legislature and asked for relief in the Pennsylvania and asked for release in the tellisyvalua terminal matter after the Board of Aldermen had refused to grant the railroad's request. It was the sentiment of the majority of the conference that the Legislature in no instance has interfered with New York city except when it has been

appealed to urgently by its best citizens to do so. Others who took part in the discussion were Speaker Nixon and Senator Raines, who expressed the sentiments of the upstate Republicans. Owing to the drift of the discussion Gov. Odell soon realized that the best outlet for the conference was the appointment of a committee to conthe appointment of a committee to consider the question. Less than a dozen of the thirty-nine prominent Republicans present took part in the discussion. Owing to their woful lack of knowledge, the New York Republican representatives in the Legislature were at a decided disadvantage in discussing the question with their up-State Republican brethren.

Chairman Dunn said he would not appoint the investigating committee for several days. Nor did he know when the next conference would be called, though Gov. Odell had intimated that there might be another conference held to map out a legislative programme. Of course the New York members brought up the question of home rule as concerning the question of Sunday opening of saloons and excise matters in general. The New Yorkers were, figuratively speaking, "sat upon" by the up-State Republicans, who thus showed there was no hope of any legislation with the aid of their votes that

would permit any municipality to legalize the opening of saloons on Sunday.

A heated discussion as to the effects of the present excise law ensued between Senator Raines and Assemblyman Newcomb that was enjoyed by all present. The Buffalo legislators were silent throughout the conference. This was probably due to the fact that the Governor's friend, William C. Warren, the leader of Eric county, was present, and after the other conferees had departed he remained with the Gov-ernor in his private office and talked mat-

Senator Wagner Critically Ill.

ALBANY, Feb. 15 .- State Senator Wagner of Brooklyn, who is ill at the Kenmore Hotel with pneumonia, continues in a critical condition. The crisis of the disease will not be reached for twenty-four or forty-

UNIFICATION BILL AMENDED. TF you lack either the ap-

CONSTITUTIONAL OBJECTIONS TO IT ARE MET.

As Amended to It Gives the Commissioner of Education More Power Than Skinner Has Been Fighting For—Assembly Adjourns Out of Respect to Hanna. ALBANY, Feb. 15 .- The constitutional objections to the Educational Unification

bill pointed out by Marcus T. Hun were met in the State Senate to-night by incorporating amendments prepared by the friends of the bill. The contention that the bill was unconstitutional in that it legislated the Regents out of office on April 1, is met by an amendment pro-viding that only those Regents shall retire from office on that date who theretofore Chief Evidence Against Mrs. Powell for had been elected as members of the reorganized Board of Regents. The Con-DOVER, Del., Feb. 15 .- With her fivestitution provides that the number of year-old adopted son babbling accusations Regents shall not be less than nine. The against her and her husband acting as guide reorganized board is to comprise eleven and adviser to the State detectives, Mrs. embers, and it is expected that all of Mary Ann Powell, now under arrest upon the them will be selected from existing Regents. charge of having murdered her house-The second constitutional point, that worker, Estella Alpin, denies firmly the

the Commissioner of Education was empowered to administer the University law and exercise all of the powers of the Broad of Regents, is met by substituting a new section defining the powers of the comnissioner, which provides that he is not to have any part in the administration of the can prevent it by telling all I know and colleges and technical professional schools, these schools being given over to the exclusive jurisdiction of the Regents by the Constitution of 1894. The new section defining the power of the Commissioner of Education reads as follows:

The office of the Superintendent of Public Instruction and the office of Secretary of the Board of Regents shall be abolished from and after April 1, 1904, and the powers and duties of said officers shall be exercised and performed by the Commissioner of Educa-Board of Regents in relation to the super-vision of elementary and secondary schools, including all schools except colleges, technical and professional schools, are hereby devolved upon the Commissioner of Education.

The said Commissioner of Education shall

also act as the executive officer of the Board of Regents. He shall also have power to appoint deputies and heads of such departments, subject to the approval of the State ments, subject to the approval of the State Board of Regents. Such heads of departments shall appoint, subject to approval by the Commissioner of Education, such subordinates in their respective departments as in their judgment shall be necessary.

The Commissioner of Education for the first year of his incumbency, subject to the approval of the State Board of Regents, shall fix and determine the salary of all deputies, appointees and employees within the appraisations made therefor and in accordance with existing laws.

priations made therefor and in accordance with existing laws. The Board of Regents of the University shall have power to establish such rules and regulations as are necessary to carry into effect the statutes of this State relating to education and, subject to the provisions and limitations of this act, shall also possess all the powers now exercised by the present Board of Regents. Nothing in this act shall be construed to affect the powers of the Board of Regents in relation to colleges, universities, professional and technical schools, libraries (other than public school libraries), museums, university extension courses and similar agencies.

Kohlbeck as attorney.

Judgment was granted on the ground that the association was not lawfully engaged in transacting insurance business on Oct. 1, 1892, and therefore did not come within the exception specified in Section 57 of the insurance law exempting Lloyds association, from the operations of the law. The practical effect of these amendments is to take away from the Regents any power whatever over the high schools and academies. This has been the bone of contention in the unification fight. So that the ALBANY, Feb. 15 .- Gov. Odell's friends pill provides for unification practically said to-night that the idea of having a continuing the State Superintendent Public Instruction under the new name of "Commissioner of Education," with all of the increased power and more, too, that the present State Superintendent of Public Instruction has been fighting for. In other words, the Commissioner of Education is to have absolute control of the common further that a resolution providing for such an inquiry would soon be introduced in the Senate and that Senator George R. Malby of Ogdensburg would probably be the chairman of the committee.

mies.
The Senate chamber was crowded tonight in anticipation of a discussion of the merits of the bill in committee of the whole, but after these amendments were adopted Senator Grady, on behalf of the minority, insisted that the consideration of the bill familiarize himself of the amended bill. with the provision This was agreed to. provisions To-night the Colonial Dames taught the Daughters of the American Revolution a Daughters of the American Revolution a lesson in being magnanimous. When Assemblyman Newcomb's bill authorizing the New York Park Commissioner to turn over the Jumel Mansion to the Daughters, came up for final passage in the Assembly not a Democratic member said a word in opposition, although in the Senate, when Senator Grady's bill giving the mansion to the Dames was under consideration, Senator Brackett endeavored to secure Senator Brackett endeavored to secure Republican votes to defeat it.

The Assembly to-night, on motion of Majority Leader Rogers, adjourned out

Majority Leader Rogers, adjourned out of respect to the memory of Senator Marcus A. Hanna. Eulogistic remarks were made by Mr. Rogers, Minority Leader Palmer and Assemblyman Prince (Tam.). The latter said that the laboring classes had lost their best friend in his death.

The Assembly adopted a resolution

The Assembly adopted a resolution in-troduced by Assebmlyman Lithauer calling upon Congress to make a sufficient appropriation to give New York city a suitable

Some one is opposed to making it a crime to make a false statement as to the quantity of gold in an article. To-night, to the surprise of every one, Assemblyman Bostwick's bill, making it a misdemeanor for any one to stamp a gold article as containing more gold than it does was recommitted to the Codes Committee for a "hearing." Mr. Phillips, the chairman, said that such a request had been received from a well known New York lawyer, and the bill worth back. It was on the order of the bill went back. It was on the order of final passage. Mr. Bostwick protested against recommitting the bill, and said that the request was not a bona fide one. He, however, withdrew his objection upon Mr. Phillips saying that he would expedit the bearing.

dite the hearing.

The Senate passed Senator Dowling's bill equalizing the salaries of all court attendants in New York county.

Senator Keenan introduced a bill providing that the bridge to be constructed by the New York Connecting Railroad Com-pany over the East River near Hell Gate shall have a footpath for passengers and a bicycle path. The people behind this project are about ready to begin the con-truction of the bridge backed by the truction of the bridge, backed by the

To Vote on Canal Treaty on Feb. 23. WASHINGTON, Feb. 15 .- The Senate today in executive session fixed Tuesday. Feb. 23, for taking a final vote on the ratificaion of the treaty with Panama.



TRAVIS TO GOLF ABROAD

EXPECTS TO COMPETE IN CHAM-PIONSHIP OF GREAT BRITAIN.

cond Trip of the American Title Holder to Foreign Links-He Is Now at Palm Beach-E. M. Byers and F. Oden Horstman to Sail in April-Notes.

Walter J. Travis, who has left for Palm Beach, will sail for England soon after his return from Florida, and will take part n the amateur championship of Great Britain, to be played at Sandwich during the week of May 30, and probably in the open championship fixed for the same links on Wednesday and Thursday, June 8 and 9 It will be the first time that the holder of the American amateur championship will play in the amateur championship of Great Britain, for H. J. Whigham has not played which will increase the interest in the competition as a trial of the relative skill of the golfers here and abroad, the lists will also include E. M. Byers, runner-up for the last two years in this country, and F. Oden Horst-

man of Chevy Chase.
Charles B. Macdonald, the American amateur champion of 1895, in speaking at the United States Golf Association meeting on Thursday night, pronounced Travis four strokes better at thirty-six holes than an other amateur in this country. In view of this eminence in the game, should Travis be not affected by the change of climate and the long trip, the players here believe that he will render a good account of himself at is that when abroad in 1901 he made the rounds of nearly all the famous links. He was ac companied then by Charles L. Tappir E. H. Jewett and, while in Scotland, by John M. Ward. Travis was on the links every day during that journey and met many o

the leading amateurs.

At North Berwick, Travis lost to Norman Hunter, by 2 up and 1 to play, and at Hoy-lake, Harold H. Hilton beat him by 5 up and 4 to play. The sunny side of the matches included the defeat of O. T. Falk, then the Carnoustie, where Travis did a 78; a victory over Mansfield Hunter, at Muirfield, by 2 up, and over Angus Macdonald, at Barnton, by 5 up and 3 to play. Travis did 75 in beating Macdonald, who was a semi-finalist in the last amateur championship of Great Britain, being put out then by Horace Hutchinson who lost in the final to Robert Maxwell. The field at Sandwich will comprise, with

who lost in the final to Robert Maxwell.

The field at Sandwich will comprise, with few exceptions, the players who were in this country with the team of the Oxford and Cambridge Golfing Society. Travis played in four matches against that team, beating Bramston at Garden City by 2 up and 1 to play; Norman Hunter at Shinnecock Hills, by 5 up and 4 to play, and John L. Low, at thirty-six holes, by 7 up and 6 to play, over the Nassau Country Club links. In the match a few days before, however, Low beat Travis by 3 up and 2 to play at Garden City. Byers was beaten by P. W. Leathart, at Garden City, by 2 up and 1 to play, but when he next met the team, in the International match at Nassau, Byers beat Mansfield Hunter by 1 up. Byers also won the Ekwanok tournament from Norman Hunter. Horstman will sail on April 27 and Byers on April 30.

It is expected that some of the English players will return this summer to play in team matches and at our tournaments. The Olympic golf tournament at the Glen Echo links, St. Louis, which begins on Sept. 19, will be open to them, and, should the executive committee of the U. S. G. A. so decide the Englishmen could play in our amateur championship at Baltusrol, during the week of Sept. 5. The executive committee has the power to alter, amend or suspend, without notice, by a two-thirds vote, the by-law which now restricts the competition only to members of clubs in the U. S. G. A.

The annual open tournament for amateurs The annual open tournament for amateurs and professionals will be played at Palm Beach on next Tuesday. It will be at thirty-six holes medal play, and the following day there will be an open mixed foursome competition. The East Coast Association tournaments begin next Thursday at Nassau, in the Bahamas, and at intervals of a week the tournaments will follow at Miami, Palm Beach, Ormonde and St. Augustine.

This spring the championship of the Met-ropolitan Golf Association will be held at the Country Club at Lakewood the third week in May.

Billiards.

H. Schroeder was defeated last night by H. Hoxie in the amateur handicap 14-inch balk line tournament at the Knickerbocker Billiard Academy in Brooklyn. is the first that Schroeder has lost in some time. Hoxie was in good form and in the fifteenth inning scored a high run of 17, closely followed by three other runs of the tw

Hoxle (160). -3, 1, 4, 0, 1, 1, 0, 0, 0, 1, 0, 4, 2, 0, 17, 17, 8, 0, 12, 0, 3, 0, 10, 3, 0, 0, 0, 1, 4, 8, 8, 3, 1, 2, 2, 4, 0, 0, 2, 0, 3, 5, 0, 12, 5, 0, 0, 2, 2, 1. Total, 160: average, 3 10-50. High runs, 17, 17, 12. Schroeder, 165-4, 0, 7, 3, 2, 3, 0, 1, 4, 9, 0, 0, 2, 2, 14, 11, 6, 0, 3, 1, 3, 0, 0, 0, 0, 0, 1, 2, 0, 9, 0, 1, 0, 4, 1, 0, 3, 0, 5, 7, 9, 0, 1, 2, 9, 0, 0, 5, 4, Total, 136. Average, 2, 38-40. High runs, 14, 11, 0.

Estimate in San Francisco That It-May Not Reach \$1,000,000.

SAN FRANCISCO, Feb. 15 .- The estate of the

late Alvinza Hayward will not amount to as much as expected. Experts in such matters say that if \$1,000,000 is realized it will be fortunate for the heirs. Hayward owned San Francisco property worth \$2,500,000, but it was mortgaged for more than \$1,500,000. His mining properties are also plastered with mortgages, and most of his bonds and other securities are held as collateral for loans.

Hayward had a ma nia, like Lucky Bald-

HAYWARD'S ESTATE SHRINKS.

win, for raising ready money by mortgages.

This led to the recent trouble between him and Mrs. Charity Hayward, who is now living in West Fifty-seventh street, New York. Mrs. Hayward gave her husband power of attorney and he used it to raise money on her personal property. She sent her daughter. Mrs. Rose, out here and Hayward quarrelled with the daughter and struck her name, as executor, from his will. His will leaves all his estate to his wife.

This action against the daughter embittered the wife. Hayward had an interest in several mines with Charles D. Lane, the most important being the Wild Goose Mining Company of Nome, but how much of this \$7,000,000 corporation Hayward owned is not known to his friends. known to his friends. TROLLEY CRASHES INTO COUPE

Young Society Woman Thrown Out and Her Skull Fractured. Miss Louise Berdan, a young society

woman of Roselle, N. J., was so badly injured there late on Saturday night that little hope is entertained for her recovery.

Accompanied by Horace R. Benedict, Miss
Berdan was driving home in a coupé from
a reception, when a trolley car from Plainfield crashed into the vehicle.

Miss Berdan's skull was fractured and
her collarbone was broken. Mr. Benedict

her collarbone was broken. Mr. Benedict was cut and the driver of the coupé was injured. It is said that no warning bell was sounded by the motorman and that the car was running faster than twenty miles an hour.

Ex-Senator Sheard Critically Ill. UTICA, Feb. 15 .- Ex-Senator Titus Sheard of Little Falls is confined to his home and at his bedside. He has suffered for some time with heart difficulty, which has re-cently been aggravated by a severe attack of

Jersey Legislature Adjourns.

TRENTON, N. J., Feb. 15 .- Both houses of the Legislature adjourned to-night after the adoption of resolutions expressing sympat hy for Gov. Murphy on account of the death of his wife. As a mark of respect to the Governor no other business was dis-



Executor's Sale.

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